

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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PHYLIS TANZ,	:	
	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO.
	:	08-cv-01462-LAK
-against-	:	
	:	
EUGENE KASAKOVE and	:	<b>STIPULATION OF</b>
MARKAS FINANCIAL SERVICES, INC.,	:	<b>DISCONTINUANCE</b>
	:	<b>PURSUANT TO FED.</b>
	:	<b><u>R. CIV. P. 41(a)</u></b>
Defendants.	:	
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**WHEREAS**, no party is an infant or an incompetent person for whom a committee or conservatee has been appointed, and no person not a party has an interest in the subject matter of the action; and

**WHEREAS**, the plaintiff Phyllis Tanz has raised claims in the above- captioned action, which claims have been denied by defendants Eugene Kasakove and Markas Financial Services, Inc., and

**WHEREAS**, the parties desire to resolve all claims, defenses, and matters raised by Plaintiff, and

**WHEREAS**, the parties have entered into a Settlement Agreement and Release (“Settlement Agreement”), pursuant to which they desire to resolve all matters that were raised by Plaintiff, and


**IT IS HEREBY STIPULATED AND AGREED** by all parties through their undersigned counsel that:

The above-captioned action is hereby dismissed with prejudice and without costs to any party.

Dated: New York, New York

August 1 ~~July~~ \_\_, 2008

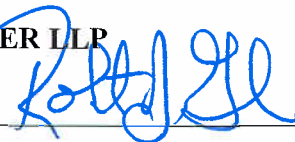
**RICHARD M. MORTNER, ESQ.**

By: 

Richard M. Mortner  
40 Broad Street, 5<sup>th</sup> Floor  
New York, NY 10004  
(212) 480-2181

*Attorneys for Plaintiff*

**DREIER LLP**

By: 

Robert J. Grand  
499 Park Avenue  
New York, New York 10022  
(212) 328-6100

*Attorneys for Defendants Eugene  
Kasakove and Markas Financial  
Services, Inc.*

SO ORDERED this \_\_\_\_ day of August, 2008

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE